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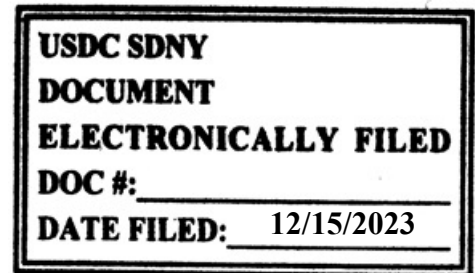
*Admitted to Practice in NY, NJ and D.C.

MEMO ENDORSED

December 15, 2023

VIA CM/ECF AND EMAIL

Honorable Judge Katharine H. Parker
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, New York 10007
Email: Parker_NYSDChambers@nysd.uscourts.gov



Re: Ruiz v. ELH MGMT. LLC, et al.
SDNY Case No.: 1:23-cv-05367

Dear Judge Parker:

This law firm together with the Law Offices of Nolan Klein, P.A. represents the Plaintiff, Luis Ruiz, in the above-captioned case. We write, with the consent of counsel for defendants, to request that the settlement conference scheduled for Monday, December 18, 2023 at 2:00 pm be moved to a video conference, or adjourned until after the holidays. The reason for the request is that the weather is forecasted for Monday is high winds and heavy precipitation, making travel very difficult for all parties. In addition, our Spanish speaking translator will need to call in for the conference, as she is located out of state; thereby making it easier for communication with the client and my office for it to be virtual.

In the event the Court chooses to still hold the conference, in person, then Plaintiff is requesting that an Order be issued allowing Plaintiff to bring his telephone into the settlement conference. The reason for this request is that we were just informed this morning, that Mr. Ruiz has a conflicting telephone appointment with the Social Security Administration on Monday, December 18, 2023 at 2:30 pm¹, that he cannot miss or reschedule, as he advised that he will be at risk of losing benefits that are necessary for his daily living. Plaintiff has conferred with Defendants prior to filing this letter motion and counsel consents with our request.

We do not believe this request will cause any prejudice, as the parties have been negotiating amongst themselves and this is Plaintiff's first request to hold the conference electronically or for it to be adjourned.

¹ As the Court may recall, there was initial confusion with the Court time for the settlement conference, as the email dated October 4, 2023 from the Court referenced a 10:00 am start time and the Order (D.E. 17) referenced a 2:00 pm start time.

BASHIAN
PAPANTONIOU P.C.

We thank the Court for your time and consideration in this matter.

Respectfully submitted,

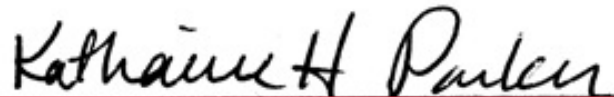
BASHIAN & PAPANTONIOU, P.C.

s/ Erik M. Bashian
Erik M. Bashian, Esq.

Enc.

APPLICATION GRANTED: The settlement conference in this matter scheduled for Monday, December 18, 2023 at 2:00 p.m. in Courtroom 17-D, United States Courthouse, 500 Pearl Street, New York, New York is hereby rescheduled to Tuesday, February 20, 2024 at 2:00 p.m. Parties must attend in-person with their counsel. Corporate parties must send the person with decision making authority to settle the matter to the conference. The parties are instructed to complete the Settlement Conference Summary Report and prepare pre-conference submissions in accordance with the Judge Parker's Individual Rules of Practice. Updated pre-conference submissions must be received by the Court no later than February 13, 2024 by 5:00 p.m.

APPLICATION GRANTED



Hon. Katharine H. Parker, U.S.M.J.

12/15/2023